

Article - Environment

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§5–904.

(a) (1) The Department may delegate all or part of its authority under this subtitle to any county that enacts a nontidal wetland protection program by December 31, 1994 that meets at least the minimum standards adopted by the Department.

(2) (i) After December 31, 1994, the Department may delegate all or part of its authority under this subtitle to a county that applies to the Department to initiate a nontidal wetland protection program and meets at least the minimum standards adopted by the Department.

(ii) The Department shall establish a schedule for acceptance of applications from counties to initiate programs under this paragraph that provides a limited period of time once every 2 years for counties to submit their applications to the Department.

(3) A delegation in accordance with this subsection:

(i) May not be effective for more than 2 years; and

(ii) May be renewed by the Department for additional 2-year periods.

(4) After an opportunity for a hearing and upon a finding that the county program is not being administered in a manner consistent with the standards adopted by the Department, the Department may withdraw program delegation.

(b) Any regulated activity undertaken by a unit of State government shall comply with the provisions of this subtitle, including the provisions of this subtitle requiring the issuance of a nontidal wetland permit by the Department. The unit is not required to have local government approval.

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